

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

D&T PARTNERS, LLC (successor in interest
to ACET VENTURE PARTNERS, LLC),
Directly and Derivatively on Behalf of
ACET GLOBAL, LLC and
BAYMARK ACET HOLDCO, LLC

and

ACET Global, LLC,

Plaintiffs,

v.

BAYMARK PARTNERS, LP;
BAYMARK PARTNERS
MANAGEMENT, LLC;
SUPER G CAPITAL, LLC;
SG CREDIT PARTNERS, INC.;
BAYMARK ACET HOLDCO, LLC;
BAYMARK ACET DIRECT INVEST, LLC;
BAYMARK PARTNERS;
DAVID HOOK; TONY LUDLOW;
MATTHEW DENEGRE;
WILLIAM SZETO;
MARC COLE;
STEVEN BELLAH;
ZHEXIAN "JANE" LIN;
DANA MARIE TOMERLIN;
PADASAMAI VATTANA;
PAULA KETTER;
VANESSA TORRES;
WINDSPEED TRADING, LLC;
HALLETT & PERRIN, P.C.; and
JULIE A. SMITH,

CIVIL CAUSE NO. 3:21-cv-01171-B

Defendants.

PLAINTIFFS' AGREED MOTION FOR CONTINUANCE

COMES NOW Plaintiff, D&T Partners, LLC (successor in interest to ACET Venture
Partners, LLC), directly and derivatively on behalf of ACET Global, LLC and Baymark ACET

Holdco, LLC, and ACET Global, LLC (together, the “Plaintiffs”), in the above-styled and numbered case, by and through its attorney of record, and respectfully moves this Court to continue the deadline to respond to the Motions to Dismiss filed by the Defendants currently scheduled for Wednesday, November 24, 2021.

In support of this Agreed Motion for Continuance (the “Motion”), the moving attorney states as follows:

1. On September 30, 2021, Plaintiffs filed its First Amended Complaint in the above-styled case, naming two additional defendants.
2. On November 3, 2021, 20 of the 21 named Defendants collectively filed seven (7) Motions to Dismiss.
3. Rule 7.1 of the Local Rules of the U.S. District for the Northern District of Texas states that “[a] response and brief to an opposed motion must be filed within 21 days from the date the motion is filed.” Further, Rule 7.1 states that “a party who has filed an opposed motion may file a reply brief within 14 days from the date the response is filed.”
4. Undersigned counsel, despite diligence in his efforts, requires additional time to prepare responses to each of the seven Motions to Dismiss.
5. As a result, Plaintiffs request additional time—30 days—to respond to the Defendants’ seven Motions to Dismiss by Friday, December 24, 2021.
6. It is the Plaintiffs’ understanding that the 20 Defendants are in agreement with the Plaintiffs’ request for additional time, provided the 20 Defendants are granted an extension until Tuesday, January 18, 2021, to file any replies.
7. Accordingly, Plaintiffs request that the due date for the Defendants’ reply briefs, if any, be extended until Tuesday, January 18, 2021.

8. Granting the Plaintiffs' Motion will allow the Plaintiffs and Defendants the opportunity to appropriately brief their responses and replies, respectively, to the Motions to Dismiss. This request is not made for delay alone, and no party to this proceeding would be unfairly prejudiced by the relief requested in this Motion. Good cause, therefore, exists for the Court to grant the relief requested herein.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray that the Court grant this Agreed Motion for Continuance, extend the Plaintiffs' time to respond to the Motions to Dismiss by 30 days, extend the Defendants' time to respond to Plaintiffs' responses by 11 days, and grant such other and further relief to which Plaintiffs are justly entitled.

Dated: November 24, 2021

Respectfully Submitted,

By: /s/ Jason B. Freeman
Jason B. Freeman
TX Bar No. 24069736

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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of November, 2021, I filed the foregoing pleading via the Court's CM/ECF system, which will send electronic notice to all counsel of record.

/s/ Jason B. Freeman
Jason B. Freeman

CERTIFICATE OF CONFERENCE

I hereby certify that my office has conferred with counsel for all Defendants (except Baymark Partners, LP, who has not made an appearance in this matter) regarding this pleading. Counsel for the Defendants agree to the requested extensions in Plaintiffs' Agreed Motion for Continuance.

/s/ Jason B. Freeman
Jason B. Freeman